IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 8TH MAY 2007 / 18TH VAISAKHA 1929

WP(C).No. 14558 of 2007(G)

PETITIONER:

MOHAMMED KALATHIL,
DARUSSALAM, T.C. ROAD, KUTHUPARAMBA, KANNUR DIST.

BY ADV. SRI.P.M.PAREETH

RESPONDENTS:

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1. STATE OF KERALA,
   REPRESENTED BY SECRETARY TO GOVERNMENT REVENUE
   DEPARTMENT, GOVERNMENT SECRETARIAT,
   THIRUVANANTHAPURAM.

2. LAND REVENUE COMMISSIONER,
   THIRUVANANTHAPURAM.

3. COLLECTOR, KANNUR.

4. SPECIAL TAHSILDAR (LR), KUTHUPARAMBA.

5. ASSISTANT EXECUTIVE ENGINEER,
   BUILDING SUB DIVISION, THALASSERY.

BY G.P. SMT. M.R. SREELATHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

T.R. Ramachandran Nair, J.

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W.P.(C).NO.14558 of 2007-G

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Dated this the 8th day of May, 2007

JUDGMENT

Heard learned Govt. Pleader also.

2. The petitioner's building having No.17/550 of Kuthuparamba Municipality, was rented out to the first respondent for functioning the office of the Land Tribunal, Kuthuparamba. According to the petitioner, the building was vacated on 31.8.2004 but the rent for the period from 28.3.1999 to 31.8.2004 has not been paid for want of sanction for the enhanced rent from the first respondent. Ext.P1 is a letter dated 28.12.2004 sent by the 4th respondent to the second respondent District Collector for getting sanction of the Government and for disbursing the amount. The petitioner submits that the District Collector has forwarded the same to the Land Revenue Commissioner, Thiruvananthapuram, as evidenced by Ext.P2.

2. Since payment is delayed for want of sanction by the first respondent, it is for the first respondent to take a decision in the matter and sanction disbursal of the due amount to the petitioner. Hence, the writ petition is disposed of with a direction to respondents 1 and 2 to take a

decision as reported in Exts.P1 and P2, in accordance with law, within a period of three months from the date of receipt of a copy of this judgment. The petitioner shall forward a copy of the writ petition along with a copy of the judgment to the first respondent for appropriate action as directed above.

(T.R. Ramachandran Nair, Judge.)

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